

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 05, 2019

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Charles E. Brown

Case Number: 0980 2:18CR00037-WFN-1

Address of Offender:

Spokane, Washington 99204

Name of Sentencing Judicial Officer: The Honorable Marsha J. Pechman, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: June 8, 2012

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. §§ 922 (g)(1) and 924 (a)(2);
Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(2)

Original Sentence: Prison - 84 months; Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: James Goeke

Date Supervision Commenced: December 18, 2017

Defense Attorney: Roger Peven

Date Supervision Expires: December 17, 2020

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 12/17/2018, 01/03/2019, 01/09/2019, and 01/22/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

6 **Mandatory Condition #3:** The defendant shall not lawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug and/or alcohol test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed eight valid tests per month, pursuant to 18 U.S.C. § 3563(a)(5) and 18 U.S.C. § 3583(d).

Supporting Evidence: On August 28, 2019, Charles Brown provided a urinalysis specimen that was confirmed positive for methamphetamine. Additionally, he signed an admission of drug use form admitting to the consumption of methamphetamine on or about August 27, 2019.

On December 20, 2017, Mr. Brown participated in a supervision intake at the U.S. Probation Office. On that date, the mandatory, standard, and special conditions of supervised release were reviewed with the offender. Mr. Brown signed a copy of the conditions of supervision acknowledging his understanding of those conditions.

Re: Brown, Charles E

September 4, 2019

Page 2

7

Special Condition # 1: The defendant shall participate as instructed by the U.S. Probation Officer in a program approved by the probation office for treatment of narcotic addiction, drug dependency, or substance abuse, which may include testing to determine if defendant has reverted to the use of drugs or alcohol. The defendant shall also abstain from the use of alcohol and/or other intoxicants during the term of supervision. Defendant must contribute towards the cost of any programs, to the extent defendant is financially able to do so, as determined by the U.S. Probation Officer.

Supporting Evidence: Charles Brown failed to attend scheduled substance abuse treatment meetings at Pioneer Counseling on August 21, 23, 28, 30, and September 4, 2019.

On August 19, 2019, Charles Brown failed to provide a urinalysis specimen at Pioneer Counseling, and was considered to have stalled. On September 4, 2019, Charles Brown failed to report for urinalysis testing as directed.

On December 20, 2017, Mr. Brown participated in a supervision intake at the U.S. Probation Office. On that date, the mandatory, standard, and special conditions of supervised release were reviewed with the offender. Mr. Brown signed a copy of the conditions of supervision acknowledging his understanding of those conditions.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/05/2019

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
☐ Defendant to appear before the Judge assigned to the case.
☒ Defendant to appear before the Magistrate Judge.
☐ Other



Signature of Judicial Officer

9/5/2019

Date